UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA WILSON DIVISION

IN RE:)		
)		
CONNECTICUT AVENUE)		
PARTNERS, LLC)		
)	Case No.:	07-04806-8-RDD
Debtor)	Chapter 11	

MOTION OF THE BANKRUPTCY ADMINISTRATOR TO CONVERT DEBTOR'S CASE TO ONE UNDER CHAPTER 7 PURSUANT TO 11 U.S.C. §1112(b), OR IN THE ALTERNATIVE, DISMISS CASE

NOW COMES the Bankruptcy Administrator for the Eastern District of North Carolina respectfully moves this Court for an Order converting Debtor's case to one under Chapter 7 or, in the alternative, dismissing the Debtor's case pursuant to 11 U.S.C. §1112 (b) and in support thereof shows unto the court the following:

- 1. The Debtor filed a petition for relief under Chapter 11 of the Bankruptcy Code on December 18, 2007. The Debtor's Plan of Reorganization was confirmed on August 1, 2008.
- 2. The Debtor's Quarterly Fees for the period December 31, 2008 have not been paid as required by Local Bankruptcy Rule 4002-1 (b).
- 3. Pursuant to 11 U.S.C. §1112, the Court shall convert or dismiss a Debtor's case if the Movant establishes cause for such conversion or dismissal. Section 1112(b)(4) provides that cause may include the unexcused failure to satisfy timely any filing or reporting requirement established by this title or by and rule applicable to a case under this chapter.

WHEREFORE, the Bankruptcy Administrator requests the following:

1. That the Court enter an Order converting the Debtor's case to one under Chapter 7 for cause pursuant to 11 U.S.C. §1112(b); and

2. That the Court grant such other and further relief as it deems just and proper.

Respectfully submitted, this the 27th day of February, 2009.

By: /s/ Marjorie K. Lynch

Marjorie K Lynch Bankruptcy Administrator

Eastern District of North Carolina P.O. Box 3758 Wilson, NC 27895 (252) 237-6854

CERTIFICATE OF SERVICE

I, Lesley A. Cavenaugh, of Post Office Box 3758, Wilson, North Carolina, 27895-3758, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 27^{th} day of February, 2009, I served copies of the foregoing document on the following:

Trawick H. Stubbs, Jr.

George M. Oliver

Stubbs & Perdue, P.A.

PO Drawer 1654

New Bern, NC 28563

Laurie B. Biggs

Stubbs & Perdue, P.A.

8450 Falls of Neuse Rd., Ste.206

Raleigh, N.C. 27615

by cm/ecf

Connecticut Avenue Partners, LLC

925 Broad Street

New Bern, N.C. 28560-4831

by depositing a copy thereof in an envelope bearing sufficient postage in the United States mail.

I certify under penalty of perjury that the foregoing is true and correct.

Dated this 27th day of February, 2009.

By: <u>/s/Lesley A. Cavenaugh</u>
Lesley A. Cavenaugh

Assistant to Bankruptcy Administrator

Eastern District of North Carolina P.O. Box 3758 Wilson, NC 27895 (252) 237-6854